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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/796,636 | 03/09/2004 | Lonnie Moberly | | 2229 |

7590 11/14/2005
DONALD R. SMITH
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EXAMINER

BOEHLER, ANNE MARIE M

ART UNIT PAPER NUMBER

3611

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/796,636

EXAMINER

ART UNIT

PAPER

20050713
20051108

DATE MAILED:

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on March 14, 2005 is not fully responsive to the prior Office action because:

- 1) the response is not signed by the applicants (all of the applicant's signatures are required because no one person has power of attorney in this case);
- 2) the response lacks any remarks authorizing and explaining the amendment and indicating how the claims distinguish over the prior art of record;
- 3) The numbering of claims 1-4 is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). Previously, the claims taken together were considered to be claim number 1. Currently applicant has listed claims 1-4. Therefore, currently misnumbered claims 1-4 should be numbered 2-5 and previous claim 1 should be canceled.

4) every claim must be listed and must be accompanied by the proper claim status identifier, in accordance with CFR 1.121, as follows: (Original), (Currently Amended), (Canceled), (Previously Presented), (New), etc..

5) the drawings are not properly identified in the top margin as "Replacement Sheet", "New Sheet", or "Annotated Sheet", as required by 37 CFR 1.121 (d).

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

amb 11/8/05

Anne Marie M. Boehler
Primary Examiner
Art Unit: 3611